

STATE OF GEORGIA  
COUNTY OF FULTON  
CITY OF SOUTH FULTON

ORDINANCE No. 2018-003

AN ORDINANCE TO ESTABLISH THE CITY OF SOUTH FULTON TRUCK  
ORDINANCES AS CHAPTER 2 OF TITLE 8 OF THE CITY OF SOUTH FULTON  
CODE OF ORDINANCES.

**WHEREAS**, the City of South Fulton ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia; and

**WHEREAS**, the City Council is authorized by O.C.G.A. § 40-6-371 and O.C.G.A. § 32-4-92 to enact ordinances regulating motor vehicles and traffic with respect to streets and highways under their jurisdiction; and

**WHEREAS**, pursuant to City Charter Section 1.12(b)(18), the City is authorized to regulate the operation of motor vehicles and exercise control over all traffic, including parking, upon or across the streets, roads, alleys, and walkways of the City; and

**WHEREAS**, the City finds it to be in the public interest and for the health, safety, welfare, comfort, and well-being of the City and its inhabitants to regulate motor vehicles and traffic within the City.

**THE COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS** as follows:

**Section 1: Establishment of Truck Route Ordinance**

Chapter 2 of Title 8 of the City of South Fulton Code of Ordinances is hereby established, which shall include the following language:

**Chapter 2: Commercial Vehicles/Trucks**

**Sec 8-2001. - Definitions**

The following definitions are used in administering this chapter.

- (a) "Restricted Vehicle" means any Commercial Vehicle, Semi-Trailer, Trailer, or Truck tractor as those terms are defined in this Title or otherwise under State law.

## **Sec 8-2002. – Truck Routes Designated**

- (a) The following streets and portions of streets, as further identified by posted regulatory signs, and as may be revised from time-to-time by the City police department with the approval of the City Council, are designated and established as designated truck routes and restricted routes:

[See attached Exhibits of Designated and Restricted Truck Routes and corresponding map, incorporated herein by reference]

- (b) Appropriate signs shall be erected indicating the streets that have been designated by ordinance as an official truck route. Such signs shall meet the requirements of state law and all applicable regulations and shall read "TRUCK ROUTE" in letters not less than four inches in height. Signs shall be posted at all intersections of designated truck routes within the boundary of the City, at off-ramps from the Interstate 285 freeway, 20 and 85, and at any intersection where a turning movement is necessary on a designated truck route.

## **Sec. 8-2003. - Prohibition on Commercial Vehicles Traveling off Truck Routes**

When truck routes are established pursuant to this Chapter and designated by appropriate signs, the operator of any Restricted Vehicle shall drive said vehicle only on such routes and none other except for the following:

- (a) Restricted Vehicles coming from a truck route having ingress and egress by direct route to and from a restricted street when necessary for the purpose of providing a direct service requiring the utilization of such vehicles or making pickups and deliveries of goods, wares and merchandise from or to any building or structure located on the restricted street or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon the restricted street for which a building permit has previously been obtained;
- (b) Restricted Vehicles leaving or returning to its customary storage location at a commercial or industrial location in the City, provided the most direct route to and from a designated truck route is utilized.
- (c) Vehicles as may be reasonably necessary:



- (1) For the operation of authorized emergency vehicles or as otherwise necessary when an emergency has been declared by public officials or public act;
  - (2) For the purpose of transporting farm or ranch supplies, produce, or animals to and from ranches or farms situated along a street otherwise forbidden to be used by such vehicles,
  - (3) For the purpose of transporting a trailer used for recreation or noncommercial purposes and/or boat to and from locations along a street otherwise forbidden to be used by such vehicles;
- (d) If a delivery or pickup is to be made by a Restricted Vehicle within any area that is not on a designated truck route; such delivery or pickup shall not be made between the hours of 7:00 p.m. and 7:00 a.m.

**Sec. 8-2004. – Parking of Restricted Vehicles Weighing 6,000 pounds or more**

It shall be unlawful to park any nonmotorized vehicle or conveyance of any motorized Restricted Vehicle designated by the Georgia Department of Public Safety for a license tag in a weight category heavier than 6,000 pounds on the right-of-way of any residential street, ramp, road or highway under the City's jurisdiction or upon residential zoned property, unless said vehicle is making a delivery to said residential property. School buses shall not fall under this section. This section shall not apply to construction vehicles, trailers, or equipment temporarily located within a construction area, provided such vehicles, trailers or equipment are used in connection with dwelling units under construction within such construction area. Any vehicle or conveyance parked in a manner that violates this section shall be considered an abandoned vehicle and a nuisance posing a threat to the public health or safety and shall be subject to removal as otherwise authorized in this Title.

**Sec. 8- 2005. - Overnight parking of vehicles weighing 6,000 pounds or more**

It shall be unlawful for any person to park between the hours of 10:00 p.m. and 6:00 a.m., on the right-of-way of any residential street, ramp, road or highway under the City's jurisdiction, any nonmotorized vehicle or conveyance or any motorized vehicle designated by the Georgia Department of Public Safety for a license tag in any weight category higher than the 6,000 pounds commercial classification. Any vehicle or conveyance parked in a manner that violates this section shall be considered an

abandoned vehicle and a nuisance posing a threat to the public health or safety and shall be subject to removal as otherwise authorized in this Title.

**Sec. 8- 2006. - Parking or storage of unlicensed, inoperable vehicles, trailers or equipment**

Vehicles and trailers of any kind without current license plates shall not be parked or stored on or about any property within a residential zoned district or on the right-of-way of any residential street, ramp, road or highway under the City's jurisdiction. Further, vehicles, trailers or equipment permitted to remain in an inoperable condition for more than 30 days shall not be parked or stored on or about any property within a residential zoned district. Provided, however, this section shall not apply to vehicles, trailers or equipment stored in an enclosed structure or appropriately covered and located in the rear yard area. Any vehicle, conveyance or trailer parked in a manner that violates this provision shall be considered an abandoned vehicle and a nuisance posing a threat to the public health or safety and shall be subject to removal as otherwise authorized in this Title.

**Sec. 8-2007. – Penalties for Violation of Chapter.**

- (a) Any person who violates this Chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished in accordance with Sec. 8-1002.; and each occurrence shall be deemed a separate offense. These penalties shall be separate and apart from any costs associated with the removal, towing, seizure, holding or storage of an offending vehicle authorized elsewhere in this article.
- (b) Except as otherwise provided by law, it is unlawful for the owner or any other person renting or leasing a vehicle to the driver, employing the driver or otherwise directing the driver of any vehicle to require or permit the operation of the vehicle upon a street or highway in any manner contrary to any ordinance contained within this Chapter. Fines for unlawful operation or parking of rented or leased vehicles may be assessed against the company renting or leasing the vehicle to an individual or company.
- (c) Any person authorized by state law or by City Charter, ordinance, or resolution to enforce this Chapter may remove an offending vehicle from any road, right-of-way or other public property or have an offending vehicle that is parked on any road, right-of-way or other public property towed to an appropriate location immediately upon its discovery. The notice provisions of O.C.G.A. § 40-11-3



shall be followed as to any vehicle so removed. The owner of the offending vehicle so removed shall be responsible for all reasonable costs associated with the removal or towing of the offending vehicle and any required storage thereof. Any person authorized by state law or by City Charter, ordinance, or resolution to enforce this article may seize an offending vehicle from any road, right-of-way or other public property and may hold such vehicle until any and all fines imposed upon the owner of the offending vehicle based on the violation(s) are paid in full and any and all costs associated with the removal or towing of the offending vehicle and any required storage thereof have been satisfied in accordance with O.C.G.A. § 40-11-2. Neither the City nor any person authorized by state law or by City Charter, ordinance, or resolution to enforce this article shall be liable for any damage or loss when an offending vehicle or a vehicle reasonably considered to be offending at the time enforcement action was taken is removed, towed, seized, held or stored in accordance with this provision.

- (d) Nothing in this Chapter is intended to allow or shall be interpreted to allow the removal, towing, seizure, holding or storage of any offending vehicle located on private property unless and to the extent such actions are otherwise authorized in state law.
- (e) For purposes of enforcing the provisions of this section, any City of South Fulton Municipal Court or courts having jurisdiction over state traffic offenses or other courts having jurisdiction over violations of City ordinances shall be entitled to take such action to ensure compliance, and the person convicted shall reimburse the City for any cost or expense associated with such compliance efforts and the City shall be entitled to place a lien on the property or require a bond from the person to secure payment and reimbursement for these expenses.

### **Section 3: Severability**

In the event any portion of this ordinance shall be declared or adjudged invalid or unconstitutional, it is the intention of the City Council of the City of South Fulton, Georgia, that such adjudication shall in no manner affect the other sections, sentences, clauses or phrases of this ordinance which shall remain in full force and effect, as if the invalid or unconstitutional section, sentence, clause or phrase were not originally a part of the ordinance.

### **Section 4: Repealer**

Nothing in this Ordinance is intended to repeal any other duly enacted ordinance, resolution, or parts of ordinances or resolutions, except where such ordinance, resolution, or parts of ordinances or resolutions are in direct conflict with this Ordinance; Any such repeal shall be to the extent of such conflict only and no further.

**Section 5: Effective Date**

Unless specifically specified elsewhere in this Ordinance, the effective date of this Ordinance shall be **March 13, 2018**.

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The foregoing ORDINANCE No. **2018-003** was adopted on **February 13, 2018** was offered by Councilmember **Gilyard**, who moved its approval. The motion was seconded by Councilmember **Jackson**, and being put to a vote, the result was as follows:

**"SECOND READING"**


	AYE	NAY
William "Bill" Edwards, Mayor	_____	_____
Mark Baker, Mayor Pro Tem	_____√_____	_____
Catherine Foster Rowell, Mayor Pro Tem	_____√_____	_____
Carmalitha Lizandra Gumbs	_____√_____	_____
Helen Zenobia Willis	_____√_____	_____
Gertrude Naeema Gilyard	_____√_____	_____
Rosie Jackson	_____√_____	_____
khalid kamau	_____√_____	_____

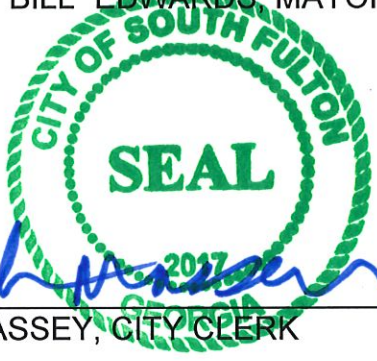
THIS ORDINANCE adopted this 13<sup>TH</sup> day of February 2018. CITY OF SOUTH FULTON, GEORGIA.

**"SECOND READING"**

  
\_\_\_\_\_  
WILLIAM "BILL" EDWARDS, MAYOR

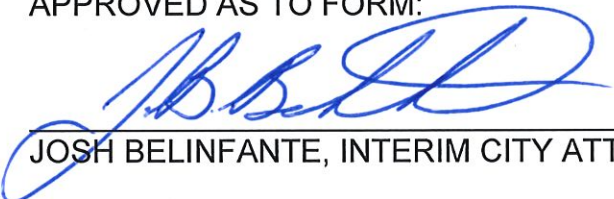
ATTEST:

  
\_\_\_\_\_  
MARK MASSEY, CITY CLERK



Item #: Ord2018-003 Date: 02/13/2018

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JOSH BELINFANTE, INTERIM CITY ATTORNEY



**City of South Fulton**  
**PROPOSED Designated Truck Routes**

**Principal Arterials**

Corridor	From	To
Camp Creek Parkway (SR 6)	Chattahoochee River	East Point City Limits
Jonesboro Road (SR 138)	Union City Limits	Clayton County
Roosevelt Highway (US29, SR 14)	Union City Limits	South Fulton Parkway (US 29ALT, SR 14 ALT)
South Fulton Parkway (US 29ALT, SR 14 ALT)	Chattahoochee Hills City Limits	Union City Limits

**Minor Arterials**

Corridor	From	To
Campbellton-Fairburn Road (SR 92)	Chattahoochee River	Fairburn City Limits
Campbellton Road (SR154)	Chattahoochee River	Atlanta City Limits
Cascade Palmetto Highway (SR154)	Palmetto City Limits	Campbellton-Fairburn Road (SR 92)
Fulton Industrial Blvd (SR 70)	Campbellton Road (SR154)	Atlanta City Limits
Martin Luther King Blvd (SR 139)	Chattahoochee River	Atlanta City Limits
Old National Highway (SR 279)	Fayette County Line	College Park City Limits
Roosevelt Highway (US29, SR 14)	Palmetto City Limits	Fairburn City Limits
Roosevelt Highway (US29, SR 14)	South Fulton Parkway (US 29ALT, SR14 ALT)	College Park City Limits
Cascade Road	Fulton Industrial Blvd	Westpark Drive

**Collectors**

Corridor	From	To
Merk Road	Aldredge Road	Camp Creek Parkway (SR 6)
Oakley Industrial Blvd	Fairburn City Limits	Union City Limits

**City of South Fulton**  
**PROPOSED Truck Restricted Routes**

**Minor Arterials**

<b>Corridor</b>	<b>From</b>	<b>To</b>
Bethsaida Road	Jonesboro Road (SR 138)	Clayton County Line
Buffington Road	Flat Shoals Road	Roosevelt Highway (US29, SR 14)
Butner Road	Campbellton-Fairburn Road (SR92)	Atlanta City Limits
Cascade Palmetto Highway	Campbellton-Fairburn Road (SR 92)	Campbellton Road (SR154)
Cascade Road	Westpark Drive	Atlanta City Limits
Cochran Mill Road (only a portion in CoSF)	Cascade Palmetto Highway (SR 154)	Rivertown Road
Fairburn Road	Garrison Drive	CSX Railroad/Atlanta City Limits
Flat Shoals Road	Union City Limits	Clayton County Line
Old Fairburn Road	Union Road	Atlanta City Limits
Ridge Road	Cascade-Palmetto Highway (SR 154)	Campbellton-Fairburn Road (SR92)
Rivertown Road	Chattahoochee Hills City Limits	Fairburn City Limits
Stonewall Tell Road	Roosevelt Highway (US29, SR14)	Union City Limits
Stonewall Tell Road	Union City Limits	Campbellton Road (SR14)
Welcome All Road	Roosevelt Highway (US29, SR14)	East Point City Limits

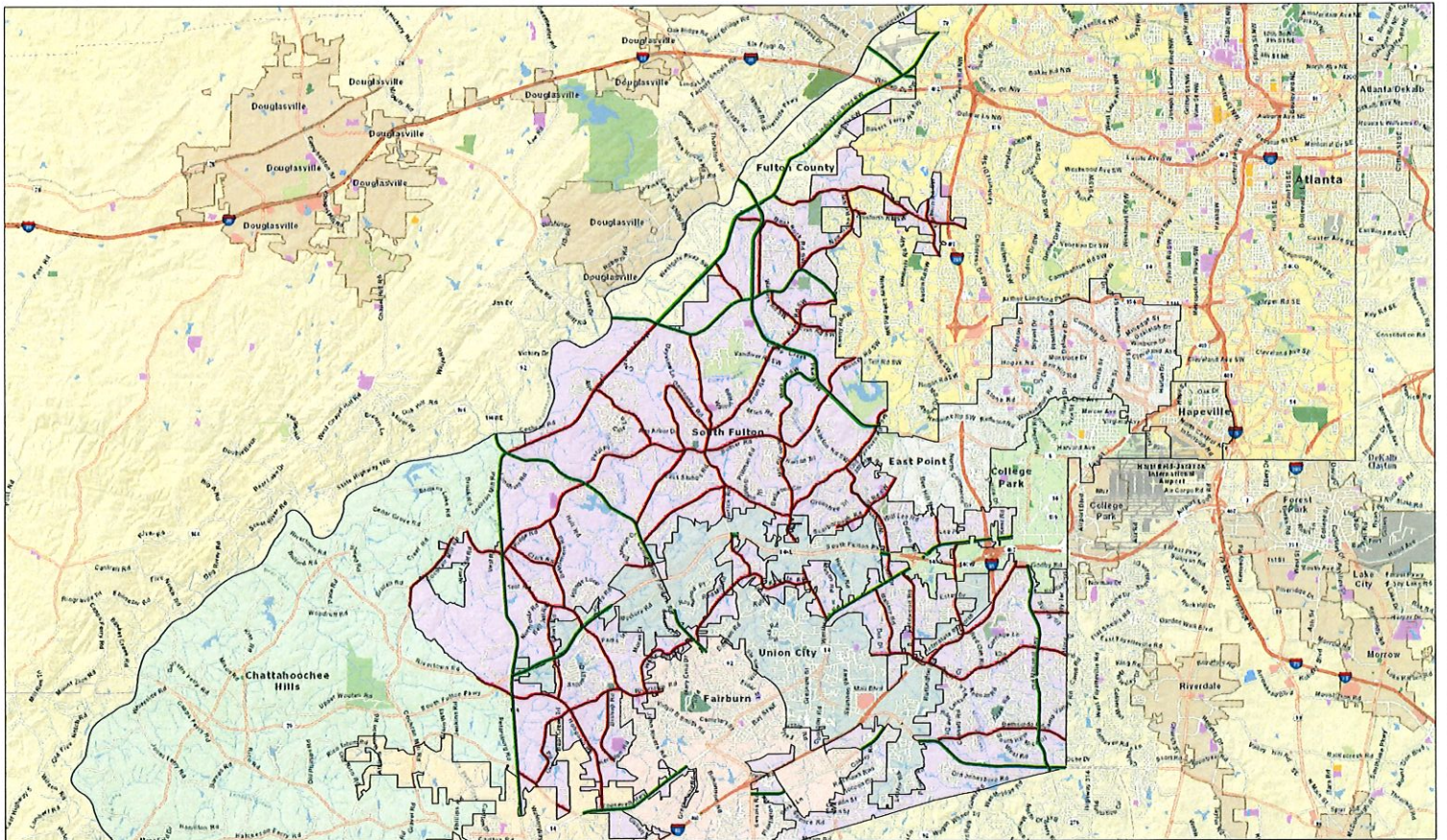
**Collectors**

<b>Corridor</b>	<b>From</b>	<b>To</b>
Ben Hill Road	Roosevelt Highway (US29, SR14)	Will Lee Road
Bethlehem Road	Cedar Grove Road	Ridge Road
Bishop Road	Herndon Road	Rivertown Road
Boat Rock Road	Fulton Industrial Blvd (SR 70)	Campbellton Road (SR 154)
Cedar Grove Road	Cochran Mill Road	Rivertown Road
Clark Road	Ridge Road	Bethlehem Road
Danforth Road	New Hope Road	Atlanta City Limits

Danforth Road	Atlanta City Limits	Cascade Road
Demooney Road	Campbellton-Fairburn Road (GA92)	Butner Road
Demooney Road	Butner Road	Stonewall Tell Road
Derrick Road	Koweta Road	Jones Road
Enon Road	Stonewall Tell Road	Campbellton Road (SR 154)
Erin Road	Enon Road	Atlanta City Limits
Feldwood Road	Flat Shoals Road	Roosevelt Highway (US29, SR14)
Godby Place	Old Bill Cook Road	Godby Road
Hall Road (unpaved)	Jones Road	Campbellton Fairburn Road (SR 92)
Hobgood Road	Roosevelt Highway (US29, SR14)	Rivertown Road
Jaillette Road	Scarborough Road/Welcome All Road	Thaxton Road
Jones Road	Campbellton Fairburn Road (SR 92)	Stonewall Tell Road
Koweta Road	Campbellton Fairburn Road (SR 92)	Stonewall Tell Road
Mallory Road	Flat Shoals Road	Roosevelt Highway (US29, SR14)
Merk Road	Miles Road	Aldredge Road
New Hope Road	Boat Rock Road	Cascade Road
Old Bill Cook Road	Buffington Road	Old National Highway (SR 279)
Ono Road	Wilkerson Mill Road	Hobgood Road
Pleasant Hill Road	Old National Highway (SR 279)	Clayton County Line
Reynolds Road	Campbellton Road (SR 154)	Boat Rock Road
Riverside Drive	Campbellton Road (SR 154)	Fulton Industrial Boulevard (SR 70)
Scarborough Road	Mason Road	Welcome All Road
Short Road	Rivertown Road	Cedar Grove Road
Thaxton Road	Jaillette Road	Old Fairburn Road
Union Road	Stonewall Tell Road	Miles Road
Wallace Road	Enon Road	Campbellton Road (SR 154)
West Stubbs Road	Butner Road	Cascade Palmetto Highway
White Mill Road	Rivertown Road	Campbellton Fairburn Road (SR 92)
Wilkerson Mill Road	Cascade Palmetto Highway (SR154)	Palmetto City Limits

#### All Other Residential Roads





## Proposed Truck Routes and Restrictions City of South Fulton

If Fulton County permits the use of Permitting for 100  
pounds or less, this map is not intended to be a  
restriction on weight. The information provided is for  
informational purposes only. Fulton County reserves the  
right to change the information at any time without  
notice. Fulton County is not responsible for any errors or  
omissions. Fulton County is not a professional engineering  
firm and does not provide engineering services.

### Map Key

- Restricted Route
- Allowed Route

0 1.25 2.5 Miles

Author: GIS Section  
 Water Resources  
 Fulton County Government  
 Date: 1/15/2019  
 Map Scale: 24" x 36"

Document is for informational purposes only and does not constitute a contract.